

FORM PTO-1390 (Modified)  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

REDUCED FEE USA

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

**09/530298**INTERNATIONAL APPLICATION NO.  
**PCT/US98/23705**INTERNATIONAL FILING DATE  
**06 November 1998 (06.11.98)**PRIORITY DATE CLAIMED  
**07 November 1997 (07.11.97)**

TITLE OF INVENTION

**AFFINITY MARKERS FOR HUMAN SERUM ALBUMIN****529 Rec'd PCT/PTO 27 APR 2000**

APPLICANT(S) FOR DO/EO/US

**KRANTZ, Alexander; HUANG, Wolin; HANEL, Arthur M.; HOLMES, Darren L.; and BRIDON, Dominique P.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). **(unsigned)**
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 13 to 20 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. w/Form 1449 and cited prior art refs.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:
  - a. Twenty sheets of formal drawings, comprising Figures 1 through 20, inclusive.
  - b. Copy of Preliminary Amendment and replacement pages 2, 3, 4, 50, 51, and 59 filed 16 March 1999 (16.03.99).
  - c. Copy of International Application No. PCT/US98/23705 as published under International Publication Number WO 99/24075 on 20 May 1999 (20.05.99) (without International Search Report).
  - d. Copy of International Application No. PCT/US98/23705 republished (front page only) with International Search Report on 02 September 1999 (02.09.99).
  - e. Copy of Form PCT/IPEA/402 - Notification of Receipt of Demand by Competent International Preliminary Examining Authority.
  - f. Copies of Forms PCT/IB/301, PCT/IB/304, PCT/IB/306, PCT/IB/308, and PCT/IB/332.
  - g. Verified Statement Claiming Small Entity Status - Small Business Concern (signed).

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U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a)(1) - (5)) : <b>09/530298</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US98/23705</b>	ATTORNEY'S DOCKET NUMBER <b>REDC-710 USA</b>
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21. The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b>					
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00					
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$690.00					
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00					
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00				<b>\$840.00</b>	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>					
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	57 - 20 =	37	x \$18.00	\$666.00	
Independent claims	3 - 3 =	0	x \$78.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,506.00</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/>				<b>\$753.00</b>	
<b>SUBTOTAL =</b>				<b>\$753.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$753.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$753.00</b>	
				Amount to be refunded:	\$
				charged	\$

- ☒ A check in the amount of **\$753.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **12-1420** A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Michael R. Ward, Esq.  
**LIMBACH & LIMBACH L.L.P.**  
 2001 Ferry Building  
 San Francisco, California 94111-4207  
 United States of America  
 Telephone: (415) 433-4150  
 Facsimile: (415) 433-8716

Michael R. Ward  
 SIGNATURE

**MICHAEL R. WARD**

NAME

**38,651**

REGISTRATION NUMBER

**26 April 2000 (26.04.00)** *new*

DATE

/530298

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PATENT COOPERATION TREATY

UNITED STATES RECEIVING OFFICE

In re Int'l Application of ) Paralegal Specialist:  
CONJUCHEM, INC. ET AL. ) Theodosia Simpkins  
 )  
International Application ) PRELIMINARY AMENDMENT  
No. PCT/US98/23705 ) AND REPLACEMENT PAGES  
 ) FOR SPECIFICATION OF  
International Filing Date: ) INTERNATIONAL APPLN.  
06 November 1998 (06.11.98) )  
 )  
For: **AFFINITY MARKERS FOR** ) 2001 Ferry Building  
      **HUMAN SERUM ALBUMIN** ) San Francisco, CA  
 ) 94111-4262  
 ) (415) 433-4150

Assistant Commissioner for Patents  
Box PCT  
Washington, D. C. 20231-0001

Attention: RO/US

CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that this Preliminary Amendment and attached Replacement Pages for the specification of the above-identified International Application are being deposited with the United States Postal Service on this date **March 16, 1999**, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number **EM393842640US** addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231-0001, Attention: RO/US.

Elizabeth A. Reicker

Name

*Elizabeth A. Reicker*  
Signature

Sir:

This is a preliminary amendment to conform the specification with the revised formal drawings submitted with the Response to Invitation to Correct Defects in the above-identified International Application. The amendment to the specification is to reflect the splitting of original Figure 15 into new Figures 15A and 15B. In addition, the amendment deletes superfluous ellipses on

original pages 2, 3, and 59, and completes the sentence on original page 2, line 25. Replacement pages 2, 3, 4, 50, 51, and 59 are enclosed herewith. The specification has been amended as follows:

IN THE SPECIFICATION

In page 2, line 25, "?????" has been replaced by -- (for "long chain") has the formula  $\text{-NH-(CH}_2\text{)}_n\text{-C(O)-}$ , where n is an integer between 1 and 25.--.

In page 2, line 28, "....." has been deleted.

In page 3, line 4, "....." has been deleted.

In page 4, line 20, "Figure 15 shows" has been replaced by --Figures 15A and 15B show--.

In page 50, line 20, "Figure 15 shows" has been replaced by --Figures 15A and 15B show--.

In page 51, line 3, "(Figure 15) has been replaced by --(Figures 15A and 15B)--.

In page 51, line 7, "(Figure 15," has been replaced by --(Figures 15A and 15B,--.

In page 51, line 22, "(Figure 15)" has been replaced by --(Figures 15A and 15B)--.

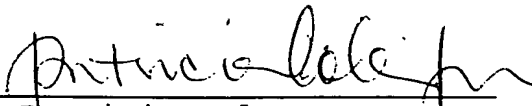
In page 59, line 26, "....." has been deleted.

Respectfully submitted,

LIMBACH & LIMBACH L.L.P.

Dated: March 16, 1999

By

  
Patricia Coleman James  
Registration No. 37,155  
2001 Ferry Building  
San Francisco, CA 94111  
(415) 433-4150  
Attorneys for Applicants

PCJ/EAR  
REDC-710 PCT

09/530298

422 Rec'd PCT/PTO 27 APR 2000

PATENT

PATENT COOPERATION TREATY  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re Nat'l Phase Application of: )  
ALEXANDER KRANTZ et al. )  
Based Upon International ) CERTIFICATION  
Application No. PCT/US98/23705 ) UNDER  
Int'l Filing Date: 06 November 1998 ) 37 CFR §1.10  
Serial No.: Not Assigned )  
A Filing Under 35 U.S.C. 371 on: )  
27 April 2000 (27.04.00) )  
For: **AFFINITY MARKERS FOR HUMAN** )  
**SERUM ALBUMIN** )

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231-0001

Attention: U.S. Designated/Elected Office (DO/EO/US)

Dear Sir:

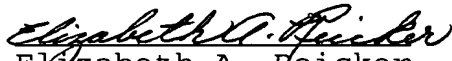
I hereby certify that this Application for entering the national phase of the above-identified International Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, **27 April 2000 (27.04.00)**, in an envelope bearing "Express Mail Post Office to Addressee" Mailing Label Number **EL387347871US** addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231-0001, Attention U.S. Designated/Elected Office (DO/EO/US).

Enclosed are:

1. Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371, in duplicate;
2. Request, description, claims, and abstract of International Application No. PCT/US98/23705 as originally filed 06 November 1998 (06.11.98);
3. Twenty sheets of formal drawings, comprising Figures 1 through 20, inclusive;

4. Preliminary Amendment and replacement pages 2, 3, 4, 50, 51, and 59 filed 16 March 1999 (16.03.99);
5. International Application No. PCT/US98/23705 as published under International Publication Number WO 99/24075 on 20 May 1999 (20.05.99) (without International Search Report);
6. International Search Report mailed 15 June 1999 (15.06.99);
7. International Application No. PCT/US98/23705 republished (front page only) with International Search Report on 02 September 1999 (02.09.99);
8. Form PCT/IPEA/402 -- Notification of Receipt of Demand by Competent International Preliminary Examining Authority;
9. International Preliminary Examination Report;
10. Forms PCT/IB/301, PCT/IB/304, PCT/IB/306, PCT/IB/308, and PCT/IB/332;
11. Information Disclosure Statement with Form 1449, International Search Report, and cited prior art references;
12. Combined Declaration/Power of Attorney/Claim of Priority (**unsigned**);
13. Verified Statement (Declaration) Claiming Small Entity Status -- Small Business Concern (**signed**);
14. Check in the amount of \$753.00; and
15. Acknowledgement Postcard.

Dated: 27 April 2000 (27.04.00)

  
Elizabeth A. Reicker

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